

(1) applicants for adjustment of status under section 245 of the Immigration and Nationality Act; or

(2) aliens subject to removal proceedings under section 240 of such Act.

(f) LIMITATION ON JUDICIAL REVIEW.—A determination by the Attorney General as to whether the status of any alien should be adjusted under this section is final and shall not be subject to review by any court.

(g) APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.—Except as otherwise specifically provided in this section, the definitions continued in the Immigration and Nationality Act shall apply in the administration of this section. Nothing contained in this section shall be held to repeal, amend, alter, modify, affect, or restrict the powers, duties, functions, or authority of the Attorney General in the administration and enforcement of such Act or any other law relating to immigration, nationality, or naturalization. The fact that an alien may be eligible to be granted the status of having been lawfully admitted for permanent residence under this section shall not preclude the alien from seeking such status under any other provision of law for which the alien may be eligible.

#### WORKFORCE IMPROVEMENT AND PROTECTION ACT OF 1998

SPEECH OF

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 24, 1998*

Mr. STOKES. Mr. Speaker, I rise in strong opposition to the "Workforce Improvement and Protection Act of 1998," H.R. 3736, which is designed to increase the number of H-1B visas. This bill is especially detrimental to American workers in the computer programming, engineering and other skilled worker fields. This negative jobs bill takes critical jobs out of the hands of American workers and compromises the economic stability of American families.

High-tech companies complain they cannot find the numbers of technologically skilled employees that they need among the United States workforce. Yet, reports abound about widespread abuses where U.S. workers, in the information technology industry, have been laid off and replaced by nonimmigrant workers. These high-tech companies would rather bring in H-1B workers than invest in the American workforce.

While it is true that our Nation's workforce is experiencing critical skills gaps, the answer is not to take jobs out of the hands of our existing and future American work forces. Nor is it to ignore the fact that many of the 6.2 million—or 4.5 percent of the U.S. population—who remain unemployed need critical opportunities for job training and education. We cannot afford to abandon that segment of our population for short-sighted profit-making motives that put our Nation's long-term economic security at risk.

Mr. Speaker, we already know how this ends. Just consider what happened to our Nation's economy when we handed over our industrial-based jobs to the cheaper labor-force overseas. Many of our cities are still struggling to overcome the impact of that action.

While I am very concerned about ensuring that our Nation's high-tech industries have the

most qualified workforce available in our labor market, I do not believe that simply raising the cap on H-1Bs will effectively address the long-term problem of the perceived labor shortage.

We must work together to increase U.S. enrollments in computer science and engineering programs. We must work together to ensure continuing education and training for U.S. workers as well as sustained efforts to prepare unskilled labor to compete in the technologically advanced workforce. And, we must work together to provide our Nation's current workforce with employment protections to ensure that they are not displaced by cheaper foreign workers. These are the components of a serious long-term strategy to address workforce shortages.

It is for these reasons that I urge my colleagues to join me in opposing H.R. 3736.

#### TRIBUTE TO THE HONORABLE VIC FAZIO

SPEECH OF

**HON. ROBERT T. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 24, 1998*

Mr. MATSUI. Mr. Speaker, I am pleased to rise before my colleagues today in support of this legislation that will help pay tribute to one of the most esteemed Members in this House. Contained in this legislation is a provision that will rename the Yolo Basin Wetlands in Yolo, CA in honor of Congressman VIC FAZIO.

Congressman FAZIO recognized the potential value of this area as a wetlands habitat long ago and has since played a significant role in turning what was once a dream into reality. The Wetlands represents the largest public/private restoration project in the West at more than 3,600 acres. The Yolo Basin Wetlands occupies a central location on the Pacific flyway and will benefit migratory and resident ducks, geese, swans, shorebirds, raptors and songbirds.

For more than a decade, VIC has worked tirelessly to guarantee the design and construction of the wetlands area. He has been involved every step of the way, making certain the project meets Army Corps of Engineers construction criteria and has remained the key figure in securing the federal funds needed for the Corps to build the project.

The gentleman from California is the first to recognize that the Yolo Basin Wetlands project truly is a cooperative venture—combining the efforts of local, State and Federal agencies as well as elected officials and private sector entities. In all, VIC FAZIO has become the centerpiece of more than 20 individual and agency partners involved in completing this effort.

Mr. Speaker, I would like to thank the conferees for their support of this provision and particularly appreciate the efforts of Chairman MCDADE to ensure that this language was included in the bill. As we say goodbye to one of the most beloved and well-respected Members of this governing body, I think it is important to remember the acts of dedication and generosity that define his career. I can think of no better way to recognize the more than 20 years of faithful public service my good friend from California has given to his community

and his country than by renaming this beautiful wildlife area in his honor.

#### H. RES. 557 ON HOLOCAUST-ERA ASSETS AND THE FORTHCOMING WASHINGTON CONFERENCE ON HOLOCAUST ASSETS

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, September 28, 1998*

Mr. LANTOS. Mr. Speaker, I rise today to call the attention of my colleagues to House Resolution 557, which expresses support for U.S. government efforts to identify Holocaust-era assets and urging the restitution of individual and communal property. I introduced this resolution earlier today with my dear friend and our distinguished colleague, the Chairman of the International Relations Committee, Congressman BENJAMIN A. GILMAN.

Mr. Speaker, this resolution is a direct result of discussions which took place during a hearing of the International Relations Committee just during the first week of August. Stuart Eizenstat, our Undersecretary of State for Economic Affairs, testified before the Committee regarding the status of Holocaust restitution activities. During that hearing, he told our Committee that a resolution supporting the efforts of the Administration in its restitution activities and urging positive response from European governments would be helpful and positive action.

I want to call to the attention of our colleagues, Mr. Speaker, my profound respect and great admiration for the outstanding job that Mr. Eizenstat has done in dealing with issues related to Holocaust Restitution. Under his leadership, with the unswerving support of our exceptional Secretary of State, Madeleine Albright, the United States has set the example for other countries with the issue of Holocaust restitution.

In early December, Mr. Speaker, the United States will host the Washington Conference on Holocaust-era Assets, and this resolution emphasizes the importance of this conference in bringing about a resolution of matters related to restitution.

Mr. Speaker, a number of our distinguished colleagues are original cosponsors of this important resolution. In addition to the distinguished Chairman of the International Relations Committee, Mr. GILMAN of New York, the resolution has been cosponsored by the ranking Democratic member of the International Relations Committee, Mr. HAMILTON, and Mr. SMITH of New Jersey, Mrs. MALONEY of New York, Ms. WOOLSEY, Mr. FRANKS of New Jersey, Mr. ACKERMAN, Mr. BERMAN, Mr. BROWN of Ohio, Mr. BURTON, Mr. CHABOT, Mr. DEUTSCH, Mr. FALEOMAVAEGA, Mr. FOLEY, Mr. FOX, Mr. FROST, Mr. FRANK of Massachusetts, Mr. HASTINGS of Florida, Mr. HORN, Mrs. LOWEY, Mr. MENENDEZ, Ms. ROS-LEHTINEN, Mr. SANDERS, Mr. SCHUMER, Mr. SHERMAN, Mr. SISISKY, Mr. WAXMAN, and Mr. WEXLER.

Mr. Speaker, I urge my colleagues to join us as cosponsors of this important resolution. I ask that the text of the resolution be included in the RECORD.

H. RES. 557

Expressing support of U.S. government efforts to identify Holocaust-era assets, urging

the restitution of individual and communal property, and for other purposes.

Whereas the Holocaust was one of the most tragic and complex horrors in this century, and survivors of that catastrophe are now reaching the end of their lives;

Whereas among the many atrocities committed by the Nazis was their systematic effort to confiscate property illegally and wrongfully from individuals, institutions, and communities solely because of religion or ethnicity;

Whereas the Nazi regime used foreign financial institutions to launder and hold property illegally confiscated from Holocaust victims, and some foreign financial institutions violated their fiduciary duty to their customers by converting to their own use financial assets belonging to Holocaust victims and denying heirs of these victims access to these assets through restrictive regulations and unreasonable interpretation of those regulations;

Whereas in the post-Communist period of transition many of the countries of Central and Eastern Europe have begun to enact legal procedures for the restitution of property confiscated or stolen from victims of the Holocaust to communities and to individual survivors of the Holocaust and their heirs;

Whereas, despite the enactment of legislation and the establishment of institutions to restore confiscated property in a number of countries, progress has been slow, difficult, and painful, and some countries have established restrictions which require those whose properties have been wrongfully plundered to reside in or be a current citizen of the country from which they now seek restitution or compensation;

Whereas the Tripartite Gold Commission has now concluded its activities, and under the leadership of the United States established an international Nazi Persecutees' Relief Fund, reached agreement with most of the countries which had gold on deposit with the Tripartite Gold Commission to donate their shares to this Persecutees' Fund, and the United States has pledged to contribute \$25 million to this Fund;

Whereas two significant agreements have recently been reached, the first between Holocaust survivors and private Swiss banks and the second between Holocaust survivors and European insurance companies, which represent significant first steps in the international effort to provide belated justice to survivors and victims of the Holocaust and their heirs;

Whereas the Department of State and the United States Holocaust Memorial Museum will co-host the Washington Conference on Holocaust-Era Assets later this year in order to review current efforts, share research across national borders, renew efforts to open Nazi-era archives, and spur greater progress on the restitution of Holocaust-era assets; and

Whereas there is a growing international consensus and sense of urgency that, after a half century of indifference and inaction, justice must be obtained for victims and survivors of the Holocaust and their heirs; Now, therefore, be it

*Resolved* That the House of Representatives—

(1) recognizes the great responsibility which the United States has to Holocaust survivors and their families, many of whom are American citizens, to continue to treat the issue of Holocaust-era assets as a high priority and to encourage other governments to do the same;

(2) commends the agencies of the United States government for their untiring efforts and for the example they have set, including the publication of the May 1997 and June 1998

reports on U.S. and Allied Efforts to Recover or Restore Gold and Other Assets Stolen or Hidden by Germany in World War II and the efforts to return such assets to their rightful owners;

(3) commends those organizations which have played a critical role in the effort to assure compensation and/or restitution for survivors of the Holocaust, and in particular to the World Jewish Congress and the World Jewish Restitution Organization;

(4) welcomes the convening of the Washington Conference on Holocaust-Era Assets later this year by the United States Holocaust Memorial Museum and the Department of State and expresses the hope that this conference will contribute to the sharing of information and will spur greater progress on the restitution of Holocaust-era assets;

(5) commends those countries which have instituted procedures for the restitution of individual and communal property confiscated from Holocaust victims, and urges those governments which have not established such procedures to adopt fair and transparent legislation and regulations necessary for such restitution;

(6) calls upon countries in transition in Central and Eastern Europe to remove certain citizenship or residency prerequisites for individual survivors of the Holocaust seeking restitution of confiscated property;

(7) notes that former Communist countries which seek to become members of the North Atlantic Alliance and other international organizations must recognize that a part of the process of international integration involves the enactment of laws which safeguard and protect property rights that are similar to those in democratic countries which do not require artificial citizenship and residency requirements for restitution or compensation;

(8) commends those countries which have established significant commissions, such as the Presidential Advisory Commission on Holocaust Assets in the United States, to conduct research into matters relating to Holocaust-era assets, to assure that information developed by these commissions is publicly available, to complete their major historical research efforts, and to contribute to the major funds established to benefit needy Holocaust survivors no later than December 31, 1999;

(9) commends those countries and organizations which have opened their archives and made public records and documents relating to the Nazi era, and urges all countries and organizations, including the United Nations, the Holy See, the International Committee of the Red Cross and national Red Cross organizations, to assure that all materials relating to that era are fully accessible to the public;

(10) urges all countries to develop and include as a part of their educational curriculum material on the Holocaust, the history of the Second World War, the evils of discrimination and persecution of racial, ethnic or religious minorities, and the consequences of the failure to respect human rights;

(11) appreciates the efforts of the government of Germany for successfully concluding an agreement with the Conference on Material Claims Against Germany on matters concerning restitution for Holocaust survivors from Central and Eastern Europe who have not yet received restitution, and urges the government of Germany to continue to negotiate with the Claims Conference to expand the eligibility criteria to ensure that all needy Holocaust survivors receive restitution;

(12) urges all countries to continue aggressive investigation and prosecution of individuals who may have been involved in Nazi-era war crimes, such as the Government of Ger-

many which should investigate Dr. Hans Joachim Sewering for war crimes of active euthanasia and crimes against humanity committed during World War II;

(13) urges countries, especially Israel, Russia, Poland, and other Central and East European nations, and organizations such as the International Committee of the Red Cross and Israel's Jewish Agency to coordinate efforts to help reunite family members separated during the Holocaust; and

(14) directs the Clerk of the House to transmit a copy of this resolution to the Secretary of State and requests that the Secretary transmit copies to all relevant parties.

## RECIPROCAL TRADE AGREEMENT AUTHORITIES ACT OF 1997

SPEECH OF

**HON. LANE EVANS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 25, 1998*

Mr. EVANS. Mr. Speaker, I rise today in opposition to granting fast track trade negotiating authority. I oppose this legislation because of the adverse effects that the North American Free Trade Agreement (NAFTA), which was negotiated under "fast track" authority, has had upon working American families.

There is no question that NAFTA's track record has had an adverse effect on U.S. wages. This country has lost over a quarter of a million jobs. In my home state of Illinois, 23 companies have moved to Mexico as a result of NAFTA. Instead of the old, failed "fast track", we need a trade negotiating authority that gives the President the tools to negotiate trade agreements that reflect the wishes of most Americans—fair, responsible trade that protects the environment, working families and public health.

We have much to lose with this vote. U.S. taxpayers have invested billions to establish and maintain one of the safest food supplies in the world. Yet we undermine consumer protection by allowing food to be imported from countries where health and safety standards either do not exist or are not enforced. Under NAFTA, food imports from Mexico and Canada have dramatically overburdened the Food and Drug Administration's ability to adequately inspect food imports. More and more we hear of illnesses caused from foreign foods. We need to make international bodies and foreign governments with weaker standards accountable if we are to protect the health of all Americans. Granting fast track authority will only threaten the safety of our food supply.

As a representative from the Corn Belt, I understand our farmers are struggling through tough times with commodity prices that are the lowest they've been in years. However, trade negotiations take years. Our farmers need immediate relief. We should be looking at ways to put money in their pockets where they most need it and ways to help our trading partners get back on their economic feet. Fast track is not the cure-all to the farm crisis, it is, at the moment, a distraction.

Without labor, food safety, and environmental provisions in the fast track legislation, we have no guarantee that these issues will ever be addressed. I am not willing to risk the health and safety of my constituents on an authority that cannot safeguard their well-being.